

## FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

OCT 22 2004

FILE

OFFICE OF  
MANAGING DIRECTOR

Bruce D. Jacobs, Esquire  
Tony Lin, Esquire  
ShawPittman LLP  
2300 N Street, N.W.  
Washington, DC 20037-1128

RE: Satellite Access Corporation, (FRN 0009038951),  
Request for Waiver of Application Fees, Fee Control No.,  
00000RROG-03-085

Dear Counsel:

This is in response to your request dated June 4, 2003, on behalf of Satellite Access Corporation (SAC), with which you submitted a fee of \$7,935, as is required for an initial application for a Fixed Satellite Very Small Aperture Terminal (VSAT) System. You request that the Commission accept this fee in lieu of individual fees for each of one million receive-only earth stations. SAC will operate these stations in conjunction with a proposed hub station<sup>1</sup> and two Canadian-licensed Broadcasting-Satellite Service (BSS) satellites (Nimiq 1<sup>2</sup> and Nimiq 2) to provide so-called Direct Broadcast Satellite (DBS) service.<sup>3</sup> You request that the Commission waive the aggregate application fees for one million receive-only earth stations<sup>4</sup> and accept the \$7,935 application fee for a VSAT<sup>5</sup> system because the latter is similar to SAC's proposal and the fee more closely approximates the processing cost of reviewing technically identical stations.

Your application describes a system that includes one million receive-only earth stations receiving in the 12200 to 12700 MHz bands, which differs from a standard VSAT system described in our rules. Moreover, SAC intends its system to access and receive so-called DBS capacity on Canadian licensed satellites. For purposes of evaluating the application in the context of the applicable fee, the system has core similarities to a VSAT system.<sup>6</sup> For the reasons below, we grant your request for a waiver, and find that the amount paid is consistent with the Commission's decision to permit a blanket application fee for this matter.

<sup>1</sup> In the request, SAC described the hub station uplink facilities as being part of a separately filed application; accordingly, the fee for the hub station application (fixed satellite transmit/receive earth station, \$2,150) is not considered in this process.

<sup>2</sup> Nimiq 1 transmits in the Ku band.

<sup>3</sup> See FCC File Number SES-LIC-20030605-0084; *Public Notice Satellite Communications Services, Satellite Radio Applications Accepted for Filing*, Report No. SES-00513, July 9, 2003.

<sup>4</sup> You compute the aggregate fee as the product of \$325 (the application fee for one receive earth station) multiplied by the expected 1 million consumer units for a total of \$325,000,000.

<sup>5</sup> VSAT (Very Small Aperture Terminal) satellite earth stations refers to a system of technically identical stations using very small aperture antennas that communicate via satellite with a larger hub station. Streamlining the Commission's Rules and Regulations for Satellite Application and Licensing Procedures, *Report and Order*, 11 FCC Rcd 21581, 21592, FCC 96-425 (1996). See 47 CFR §§ 25.115; 25.134.

<sup>6</sup> 47 CFR § 25.134.

SAC intends to operate the proposed receive-only earth stations in connection with a separate, future application for a transmit/receive earth station that will uplink to Canadian administered space stations located at 91.0 degrees and 82.0 degrees W.L., respectively. When operational, these components will provide the signal to be received by the one million receive-only earth stations for which SAC requests a fee waiver. Section 25.137 of the Commission's rules (47 CFR § 25.137) provides the procedures applicants use to request authority to operate such a system with a non-U.S. licensed space station. In that regard, the Commission held that in order to provide regulatory control for the transmissions entering the United States, it would license the receive-only terminal(s). Such a process provides a means to control interfering transmissions into the United States and to provide a vehicle by which to evaluate effective competitive opportunities in foreign markets as well as other public interest considerations.<sup>7</sup> Mindful of the potential burden applicable to those requesting authorization, however, the Commission held "we will permit applicants to request 'blanket' licenses for large numbers of technically identical receive-only antennas, such as home 'dishes.' Blanket applications may be filed by the space station operator, the service supplier, the equipment manufacturer, or the electronics retailer."<sup>8</sup> SAC's application involves the class of technically identical receive-only antennas described by the Commission, and the public interest will be served by waiving the fees that would have been required for all of these stations individually. Fee relief here is consistent with that provided in connection with comparable blanket applications. *See Letter to Gary M. Epstein, June 15, 2004 (DIRECTV Enterprises, LLC, and letters cited therein.)*

Consequently, the fee paid in connection with the application for a waiver is accepted, and we grant SAC's request for a waiver.

If you have any questions concerning this letter, please call the Revenue and Receivable Operations Group at (202) 418-1995.

Sincerely,



Mark Reger  
Chief Financial Officer

<sup>7</sup> *Report and Order, Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States*, FCC 97-399, 12 FCC Rcd. 24094, 24180-181 (1997).

<sup>8</sup> *Id.*, at 24180-181, ¶ 204.

000002206-03-085

ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

Bruce D. Jacobs  
202-663-8000  
bruce.jacobs@shawpittman.com

ORIGINAL

① 2d letter  
② Assign to Petty -  
Copies to  
Tom Putnam  
& Clara

June 4, 2003

VIA HAND DELIVERY

Andrew S. Fishel  
Office of the Managing Director  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

RECEIVED - FCC  
JUN - 4 2003  
Federal Communication Commission  
Bureau / Office

③ Hooker  
for 30 dps

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Re: Satellite Access Corporation (FRN 0009038951)  
Request for Waiver of Fees

Dear Mr. Fishel:

Satellite Access Corporation ("SAC") respectfully requests that, pursuant to Sections 1.3 and 1.1117 of the Commission's Rules,<sup>1</sup> and the Communications Act of 1934, as amended,<sup>2</sup> the Commission waive the filing fee requirement associated with the earth station application electronically filed by SAC on June 2, 2003. Instead, SAC requests that the Commission accept a fee of \$7,935, as is required for an Initial Application for Fixed Satellite Very Small Aperture Terminal (VSAT) Systems. Because this is a reasonable fee to cover the administrative costs associated with processing an application for 1,000,000 technically identical receive only earth stations, good cause exists for grant of this waiver request.<sup>3</sup>

SAC is requesting authorization for 1,000,000 technically identical receive only earth stations in order to provide Broadcasting-Satellite Service<sup>4</sup> to consumers in the

<sup>1</sup> 47 C.F.R. § 1.3 and 1.1117.

<sup>2</sup> 47 U.S.C. § 158(d)(2).

<sup>3</sup> See *WAIT Radio v. FCC*, 418 F.2d 1153 (D.C. Cir. 1069); *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1166 (D.C. Cir. 1990).

<sup>4</sup> Broadcasting-Satellite Service is known as Direct Broadcast Satellite ("DBS") service in the United States.

ASSOC. MGR. DIR.  
FINANCIAL OPERATIONS  
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RECEIVED

Andrew S. Fishel

June 4, 2003

Page 2

United States. Under a literal reading of the Commission's Fee Filing Guide, there is a fee of \$325 for each receive only earth station, resulting in a total filing fee of \$325,000,000. Such a fee greatly exceeds the administrative costs of evaluating the application. Because the Commission only needs to review one set of technical parameters, the administrative costs for its review of the application is better approximated by the fee associated with initial applications for VSAT systems.

A VSAT system is a network of technically identical stations using very small aperture antennas that communicate via satellite with a relatively larger hub station.<sup>5</sup> SAC's proposed system consists of a similar network. Accordingly, it would be reasonable and in the public interest for the Commission to accept the \$7,935 filing fee for a VSAT system application in lieu of the \$325,000,000 fee SAC would be otherwise required to pay. The Commission in many similar instances has concluded that such a fee is appropriate.<sup>6</sup>

Therefore, SAC respectfully requests that the Commission waive its general fee of \$325 for each application for a receive only earth station and, instead, accept the VSAT filing fee of \$7,935 covering the requested authority for 1,000,000 technically identical receive only earth stations.

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<sup>5</sup> See, e.g., *Streamlining the Commission's Rules and Regulations for Satellite Application and Licensing Procedures*, 11 FCC Rcd 21581, at ¶ 26 (1996). SAC is in the process of coordinating uplink facilities and will seek Commission authority for those facilities separately.

<sup>6</sup> See *In the Matter of Digital Broadband Application Corp.*, DA 03-1526 (May 7, 2003). (approving application in which applicant paid VSAT system application fee for 1,000,000 transmit/receive remote terminals and one hub to be used for DBS service from Canadian satellites); Letter to Norman P. Leventhal, Counsel for Grupo Televisa, S.A., from Marilyn McDermott, Office of Managing Director, Fee Control#9612188160147001 (February 26, 1997) (approving VSAT system fee for application for 1,000,000 technically identical receive only earth stations to be used for direct-to-home satellite service); ~~see also *Onsat Petition for Declaratory Order that Blanket Licensing Pursuant to Rule 25.115(c) is available for Very Small Aperture Terminal Satellite Network Operations at C-Band, et al.*, 16 FCC Rcd 11511 (2001)~~ (applying VSAT licensing in the C-band).

Andrew S. Fishel  
June 4, 2003  
Page 3

For your convenience, enclosed is a copy of the application materials to which this request for waiver is associated. Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bruce D. Jacobs', is written over the typed name.

Bruce D. Jacobs  
Tony Lin

*Counsel for Satellite Access Corporation*

Enclosure

Document #: 1324269 v.5

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**Exhibit 2**

**Response to Question 42(a): Information Specified in Section 25.137, as appropriate**

Satellite Access Corporation ("SAC") plans to offer one-way subscription video and data service to portions or all of the continental United States through receive only earth stations communicating with the Canadian-licensed Broadcasting-Satellite Service satellites<sup>1</sup> Nimiq 1 and Nimiq 2, which are located at 91°W and 82°W, respectively. Both satellites are licensed to and operated by Telesat Canada ("Telesat"). In *DISCO II*, the Commission set forth the public interest analysis applicable in evaluating applications to use non-U.S. licensed space stations to provide satellite service in the United States.<sup>2</sup> The analysis considers the effect on competition in the United States, eligibility and operating requirements, spectrum availability, and national security, law enforcement, foreign policy, and trade concerns. See *DISCO II*, at ¶¶ 30-182.

The International Bureau ("Bureau") has recently analyzed these issues with respect to the Nimiq satellites and approved the application of Digital Broadband Application Corp. ("DBAC") to provide, *inter alia*, Internet data/video services and one-way subscription video services.<sup>3</sup> Consistent with *DISCO II*, subsequent earth station applicants seeking to access a previously approved non-U.S. licensed space station are not required to provide supporting documentation, provided the applicants seek to communicate using the same technical

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<sup>1</sup> Broadcasting-Satellite Service is known as Direct Broadcast Satellite ("DBS") service in the United States.

<sup>2</sup> See *Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations Providing Domestic and International Service in the United States*, 12 FCC Rcd 24094 (1997) ("*DISCO II*").

<sup>3</sup> See *In the Matter of Digital Broadband Application Corp.*, DA 03-1526, at ¶ 4 (May 7, 2003), erratum (May 9, 2003) ("*DBAC Order*").

parameters and under the same conditions.<sup>4</sup> Like DBAC, SAC intends to use the Nimiq satellites for the provision of one-way video and data services.<sup>5</sup> As demonstrated in the FCC Form 312 Schedule B associated with this application, the technical parameters of SAC's proposed earth stations comply with the Commission's rules.

SAC is an indirect wholly owned subsidiary of Pegasus Communications Corporation ("Pegasus"), which provides, through other subsidiaries, DIRECTV™ service to certain rural areas in the continental United States. In spite of the expanding local-in-local ("LIL") service provided by the two DBS platforms, a disproportionate number of DBS households in rural America are still unserved and are likely to remain disproportionately unserved even as new LIL markets are launched. The Commission has repeatedly acknowledged the public interest importance of local television retransmission. Through this application SAC seeks authorization, *inter alia*, to retransmit local broadcast programming to underserved markets and provide other complementary services via a single, small receiving antenna, thereby furthering the public interest. Accordingly, SAC requests that this application be expeditiously granted.<sup>6</sup>

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<sup>4</sup> See *DISCO II*, at ¶ 192; see also *Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Service in the United States*, 15 FCC Rcd 7207, at ¶ 5 (1999).

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<sup>5</sup> SAC is in the process of coordinating an uplink site and intends to apply separately for authorization to uplink to Nimiq 1 and Nimiq 2. SAC is not applying at this time for authorization to operate return (subscriber to hub) communication links with Ku-band FSS satellites.

<sup>6</sup> SAC is willing to accept grant of the application subject to all of the applicable conditions imposed in the *DBAC Order*. See *DBAC Order*, at ¶ 39.

Approved by OMB  
3060-0678

<b>APPLICATION FOR EARTH STATION AUTHORIZATIONS</b>  <b>FCC 312 MAIN FORM FOR OFFICIAL USE ONLY</b>	<b>FCC Use Only</b>	
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**APPLICANT INFORMATION**

Enter a description of this application to identify it on the main menu:

SAC Canadian DBS earth station application

**1-8. Legal Name of Applicant**

<b>Name:</b>	Satellite Access Corporation	<b>Phone Number:</b>	302-478-6160
<b>DBA Name:</b>		<b>Fax Number:</b>	302-478-3667
<b>Street:</b>	103 Springer Building 3411 Silverside Road	<b>E-Mail:</b>	
<b>City:</b>	Wilmington	<b>State:</b>	DE
<b>Country:</b>	USA	<b>Zipcode:</b>	19810 -
<b>Attention:</b>	John K. Hane		

9-16. Name of Contact Representative (If other than applicant)

<b>Name:</b>	Bruce D. Jacobs	<b>Phone Number:</b>	2026638000
<b>Company:</b>	Shaw Pittman LLP	<b>Fax Number:</b>	2026638007
<b>Street:</b>	2300 N Street N.W.	<b>E-Mail:</b>	bruce.jacobs@shawpittman.com
<b>City:</b>	Washington	<b>State:</b>	DC
<b>Country:</b>	USA	<b>Zipcode:</b>	20037-
<b>Contact Title:</b>		<b>Relationship:</b>	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

- a.
- ☒ a1. Earth Station
- (N/A) a2. Space Station

- b.
- ☐ b1. Application for License of New Station
- ☐ b2. Application for Registration of New Domestic Receive-Only Station
- (N/A) b3. Amendment to a Pending Application
- (N/A) b4. Modification of License or Registration
- (N/A) b5. Assignment of License or Registration
- (N/A) b6. Transfer of Control of License or Registration
- (N/A) b7. Notification of Minor Modification
- (N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
- ☒ b10. Other (Please specify)

<p>17c. Is a fee submitted with this application?</p> <p><input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).</p> <p><input type="radio"/> Governmental Entity    <input type="radio"/> Noncommercial educational licensee</p> <p><input type="radio"/> Other (please explain):</p>		
<p>17d.</p> <p>Fee Classification BGV – Fixed Satellite VSAT System</p>		
<p>18. If this filing is in reference to an existing station, enter:</p> <p>(a) Call sign of station: Not Applicable</p>	<p>19. If this filing is an amendment to a pending application enter:</p> <p>(a) Date pending application was filed:                      (b) File number of pending application:</p> <p>Not Applicable    Not Applicable</p>	

#### TYPE OF SERVICE

<p>20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:</p>	
<p><input type="checkbox"/> a. Fixed Satellite</p> <p><input type="checkbox"/> b. Mobile Satellite</p> <p><input type="checkbox"/> c. Radiodetermination Satellite</p> <p><input type="checkbox"/> d. Earth Exploration Satellite</p> <p><input type="checkbox"/> e. Direct to Home Fixed Satellite</p> <p><input type="checkbox"/> f. Digital Audio Radio Service</p> <p><input checked="" type="checkbox"/> g. Other (please specify)      broadcasting-satellite service</p>	

<p>21. STATUS: Choose the button next to the applicable status. Choose only one.</p> <p><input type="radio"/> Common Carrier    <input checked="" type="radio"/> Non-Common Carrier</p>	<p>22. If earth station applicant, check all that apply.</p> <p><input type="checkbox"/> Using U.S. licensed satellites</p> <p><input checked="" type="checkbox"/> Using Non-U.S. licensed satellites</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:</p> <p><input type="radio"/> Connected to a Public Switched Network    <input type="radio"/> Not connected to a Public Switched Network    <input checked="" type="radio"/> N/A</p>	
<p>24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s).</p> <p><input type="checkbox"/> a. C-Band (4/6 GHz)    <input type="checkbox"/> b. Ku-Band (12/14 GHz)</p> <p><input checked="" type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.)</p> <p>Frequency Lower: 12200                      Frequency Upper: 12700</p>	

#### TYPE OF STATION

<p>25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.</p> <p><input type="radio"/> a. Fixed Earth Station</p> <p><input type="radio"/> b. Temporary-Fixed Earth Station</p> <p><input type="radio"/> c. 12/14 GHz VSAT Network</p> <p><input type="radio"/> d. Mobile Earth Station</p> <p>(N/A) e. Geostationary Space Station</p> <p>(N/A) f. Non-Geostationary Space Station</p> <p><input checked="" type="radio"/> g. Other (please specify) VSAT network in DBS band</p>	
<p>26. TYPE OF EARTH STATION FACILITY: Choose only one.</p> <p><input type="radio"/> Transmit/Receive    <input type="radio"/> Transmit-Only    <input checked="" type="radio"/> Receive-Only    <input type="radio"/> N/A</p>	

## PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

Not Applicable

## ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. §§ 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments.

☐ Yes ☒ No

**ALIEN OWNERSHIP** Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30-34.

29. Is the applicant a foreign government or the representative of any foreign government?

☐ Yes ☒ No ☐ N/A

30. Is the applicant an alien or the representative of an alien?

☐ Yes ☐ No ☒ N/A

31. Is the applicant a corporation organized under the laws of any foreign government?	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
32. Is the applicant a corporation of which any officer or director is an alien or of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.			

#### BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules? If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Ex 1		

<p>36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p><input type="radio"/> Yes    <input checked="" type="radio"/> No</p>
<p>37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p><input type="radio"/> Yes    <input checked="" type="radio"/> No</p>
<p>38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances</p>	<p><input type="radio"/> Yes    <input checked="" type="radio"/> No</p>
<p>39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.</p>	<p><input type="radio"/> Yes    <input checked="" type="radio"/> No</p>

<p>40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.</p>	
<p>41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application" for these purposes.</p>	<p><input checked="" type="radio"/> Yes    <input type="radio"/> No</p>
<p>42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.</p> <p style="text-align: right;">Ex 2</p>	<p><input checked="" type="radio"/> Yes    <input type="radio"/> No</p>
<p>42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?Canada</p>	

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

This application is for one million receive only earth stations to be situated throughout portions or all of the continental United States and to be served by foreign in-orbit BSS satellites at 91W and 82W.

#### CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)

- ☐ Individual
- ☐ Unincorporated Association
- ☐ Partnership
- ☒ Corporation
- ☐ Governmental Entity
- ☐ Other (please specify)

45. Name of Person Signing John K. Hane		46. Title of Person Signing Senior Vice President	
47. Please supply any need attachments.			
Attachment 1:		Attachment 2:	
		Attachment 3:	
<p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).</p>			

**SATELLITE EARTH STATION AUTHORIZATIONS**  
**FCC Form 312 – Schedule B:(Technical and Operational Description)**  
**FOR OFFICIAL USE ONLY**

**Location of Earth Station Site**

E1: Site Identifier:	Remote 1	E5. Call Sign:	
E2: Contact Name	John K. Hane	E6. Phone Number:	2026638000
E3. Street:		E7. City:	
		E8. County:	
E4. State		E9. Zip Code	
E10. Area of Operation:		CONUS	
E11. Latitude:	0 °0 '0.0 "		
E12. Longitude:	0 °0 '0.0 "		
E13. Lat/Lon Coordinates are:	<input type="radio"/> NAD-27	<input type="radio"/> NAD-83	<input checked="" type="radio"/> N/A
E14. Site Elevation (AMSL):	0.0 meters		

E15. If the proposed antenna(s) operate in the Fixed Satellite Service (FSS) with geostationary satellites, do(es) the proposed antenna(s) comply with the antenna gain patterns specified in Section 25.209(a) and (b) as demonstrated by the manufacturer's qualification measurement? If NO, provide as a technical analysis showing compliance with two-degree spacing policy.	<input type="radio"/> Yes	<input type="radio"/> No <input checked="" type="radio"/> N/A
E16. If the proposed antenna(s) do not operate in the Fixed Satellite Service (FSS), or if they operate in the Fixed Satellite Service (FSS) with non-geostationary satellites, do(es) the proposed antenna(s) comply with the antenna gain patterns specified in Section 25.209(a2) and (b) as demonstrated by the manufacturer's qualification measurements?	<input type="radio"/> Yes	<input type="radio"/> No <input checked="" type="radio"/> N/A
E17. Is the facility operated by remote control? If YES, provide the location and telephone number of the control point.	<input type="radio"/> Yes	<input checked="" type="radio"/> No

E18. Is frequency coordination required? If YES, attach a frequency coordination report as	<input type="radio"/> Yes	<input checked="" type="radio"/> No
E19. Is coordination with another country required? If YES, attach the name of the country(ies) and plot of coordination contours as	<input type="radio"/> Yes	<input checked="" type="radio"/> No
E20. FAA Notification – (See 47 CFR Part 17 and 47 CFR part 25.113(c)) Where FAA notification is required, have you attached a copy of a completed FCC Form 854 and or the FAA's study regarding the potential hazard of the structure to aviation? <b>FAILURE TO COMPLY WITH 47 CFR PARTS 17 AND 25 WILL RESULT IN THE RETURN OF THIS APPLICATION.</b>	<input type="radio"/> Yes	<input checked="" type="radio"/> No

**POINTS OF COMMUNICATION**

Satellite Name: OTHER If you selected OTHER, please enter the following:
--

E21. Common Name: Nimiq 2	E22. ITU Name:	
E23. Orbit Location: 82W	E24. Country: Canada	

Satellite Name: OTHER If you selected OTHER, please enter the following:		
E21. Common Name: Nimiq 1	E22. ITU Name:	
E23. Orbit Location: 91W	E24. Country: Canada	

**POINTS OF COMMUNICATION (Destination Points)**

E25. Site Identifier: Remote 1		
E26. Common Name:	E27. Country: USA	

**POINTS OF COMMUNICATION (Destination Points)**

E25. Site Identifier: Remote 1		
E26. Common Name:	E27. Country: USA	

**ANTENNA**

Site ID	E28. Antenna Id	E29. Quantity	E30. Manufacturer	E31. Model	E32. Antenna Size<meters>	E41/42. Antenna GainTransmint and/or Recieve (____dBi at ____GHz)
Remote 1	Remote 1	1000000	California Amplifier	KTI 46 cm	0.46	36.5 dBi at 12.45

E28. Antenna Id	E33/34. Diameter Minor/Major (meters)	E35. Above Ground Level  (meters)	E36. Above Sea Level  (meters)	E37. Building Height Above Ground Level  (meters)	E38. Total Input Power at antenna flange  (Watts)	E39. Maximum Antenna Height Above Rooftop  (meters)	E40. Total EIRP for al carriers  (dBW)

Remote 1	/	0.0	0.0	0.0	0.0	0.0	0.0
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#### FREQUENCY

E28. Antenna Id	E43/44. Frequency Bands (MHz)	E45. T/R Mode	E46. Antenna Polarization(H,V, L,R)	E47. Emission Designator	E48. Maximum EIRP per Carrier (dBW)	E49. Maximum EIRP Density per Carrier (dBW/4kHz)
Remote 1	12200 12700	R	Linear and Circular	24M0M1F	0.0	0.0

E50. Description of Modulation and Services (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

QPSK, compressed digital video and data

#### FREQUENCY COORDINATION

E28. Antenna Id	E51. Satellite Orbit Type	E52/53. Frequency Limits(MHz)	E54/55. Range of Satellite Arc E/W Limit	E56. Earth Station Azimuth Angle Eastern Limit	E57. Antenna Elevation Angle Eastern Limit	E58. Earth Station Azimuth Angle Western Limit	E59. Antenna Elevation Angle Western Limit	E60. Maximum EIRP Density toward the Horizon (dBW/4kHz)
Remote 1		12200 12700	82.0/ 91.0	0.0	5.0	0.0	5.0	0.0

#### REMOTE CONTROL POINT LOCATION

Remote 1	/	0.0	0.0	0.0	0.0	0.0	0.0
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#### FREQUENCY

E28. Antenna Id	E43/44. Frequency Bands (MHz)	E45. T/R Mode	E46. Antenna Polarization(H,V,L,R)	E47. Emission Designator	E48. Maximum EIRP per Carrier (dBW)	E49. Maximum EIRP Density per Carrier (dBW/4kHz)
Remote 1	12200 12700	R	Linear and Circular	24M0M1F	0.0	0.0

E50. Description of Modulation and Services (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

QPSK, compressed digital video and data

#### FREQUENCY COORDINATION

E28. Antenna Id	E51. Satellite Orbit Type	E52/53. Frequency Limits(MHz)	E54/55. Range of Satellite Arc E/W Limit	E56. Earth Station Azimuth Angle Eastern Limit	E57. Antenna Elevation Angle Eastern Limit	E58. Earth Station Azimuth Angle Western Limit	E59. Antenna Elevation Angle Western Limit	E60. Maximum EIRP Density toward the Horizon (dBW/4kHz)
Remote 1		12200 12700	82.0/ 91.0	0.0	5.0	0.0	5.0	0.0

#### REMOTE CONTROL POINT LOCATION

E61. Call Sign  NOTE: Please enter the callsign of the controlling station, not the callsign for which this application is being filed.		E65. Phone Number		
E62. Street Address				
E63. City	E67. County	E64/68. State/Country /	E66. Zip Code	

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